

In re: BISPHENOL-A (BPA))	MDL No. 1967
POLYCARBONATE PLASTIC)	Master Case No. 08-1967-MD-W-ODS
PRODUCTS LIABILITY LITIGATION)	
_____)	_____
MARIA SULLIVAN,)	
)	
Plaintiff,)	
)	
v.)	Case No. 08-1000-CV-W-ODS
)	
HANDI-CRAFT COMPANY,)	
)	
Defendant.)	

At trial, Sullivan will bear the burden of proving she disposed of a Handi-Craft sippy cup, but she does not need to prove this fact now. Handi-Craft implicitly acknowledges this but argues that the Record conclusively demonstrates she will be incapable of proving this fact at trial. The Court disagrees. The evidence is not strong, but viewed in the light most favorable to Sullivan it is sufficient to defeat Handi-Craft's request for summary judgment.

IT IS SO ORDERED.

DATE: July 23, 2012

/s/ Ortrie D. Smith
ORTRIE D. SMITH, SENIOR JUDGE
UNITED STATES DISTRICT COURT